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INTERNATIONAL BUSINESS MACHINES
CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re IBM Subpoena in the matter of:

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Plaintiff,

vs.

PLATFORM SOLUTIONS, INC.

Defendant.

CASE NO. 5:07-mc-80174-JW PVT

Underlying action pending in the United
States District Court for the Southern District
of New York, CASE NO. CV 06-13565 SCR

**DECLARATION OF KENNETH
WILDSTEIN IN SUPPORT OF
PLAINTIFF IBM'S OPPOSITION TO
HEWLETT-PACKARD'S MOTION TO
MODIFY SUBPOENA AND FOR A
PROTECTIVE ORDER**

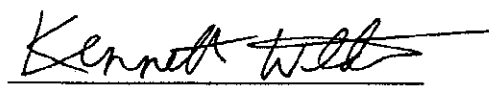
Date: October 23, 2007
Time: 10:00 a.m.
Court: Courtroom 5
Before: The Honorable Patricia V. Trumbull

I, Kenneth Wildstein, declare as follows:

1. I am a member of the bar of the State of New York and Counsel, Litigation for International Business Machines Corporation ("IBM"). I have personal knowledge of the facts set forth herein, and if called and sworn as a witness, I could and would testify competently thereto.
2. I have no involvement in competitive decision-making or patent prosecution for IBM.
3. Michelle Browdy is Vice President and Assistant General Counsel, Litigation for IBM.
4. Ms. Browdy has no involvement in competitive decision-making or patent prosecution for IBM.
5. IBM's corporate litigation department is a discrete department of IBM, and no member of that department is involved in competitive decision-making or patent prosecution for IBM.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate.

Executed this 2nd day of October, 2007 at Armonk, New York.

By: 
Kenneth Wildstein